UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

RECEIVED
JUN 28 2005
U.S. DISTRICT COURT
DISTRICT OF RHODE ISLAND

1500 MINERAL SPRING ASSOCIATES, LP, ET. AL,
Appellants,

vs.

LOUIS A. GENCARELLI, SR.,
Appellee.

C.A. No. 04-496T
C.A. No. 05-09T
C.A. No. 05-10T

(Bk. No. 04-10682)

CONSENT ORDER REGARDING RECORD ON APPEAL AND CONSOLIDATED BRIEFING SCHEDULE

This matter came before the Court for a chambers conference on June 14, 2005, Chief Justice Ernest C. Torres presiding, upon the Motion of Appellants, 1800 Smith Street Associates, LP and 1500 Mineral Spring Associates, LP, by and through their General Partner, Jason's Realty Corp. (collectively, the "Creditors"), for the entry of an Order allowing the preparation and filing of a consolidated record on appeal with respect to the three (3) above-referenced appeals and, thereafter, allowing the parties to file consolidated briefs, and after consideration thereof and of Appellee Louis A. Gencarelli, Sr.'s ("Gencarelli") Limited Objection thereto, it is hereby

ORDERED, ADJUDGED AND DECREED:

1. The Appellant Creditors shall prepare and file a consolidated designation of the items to be included in the record on appeal ("Creditors' Designation") within seven (7) days from the entry of this Order.

2. Thereafter, the Appellee Gencarelli shall prepare and file a consolidated designation of any and all additional items to be included in the record on appeal ("Gencarelli's Designation") within seven (7) days from the filing of the Creditors' Designation.

3. Both the Appellants and Appellee reserve the right to address in their respective briefs the appropriateness of the other party's designated contents of the record on appeal.

4. The parties shall file consolidated briefs with respect to all three appeals, in the form prescribed by Bankruptcy Rule 8010, in accordance with the following briefing schedule:

(a) the Appellant Creditors shall serve and file a brief within 30 days after the date of the filing of Gencarelli's Designation;

(b) the Appellee Gencarelli shall serve and file a responsive brief within 30 days after service of the brief of the Apellant Creditors; and

(c) the Appellant Creditors may serve and file a reply brief within 15 days after service of the responsive brief of Appellee Gencarelli.

1500 MINERAL SPRING ASSOCIATES, ET AL.

By and through their Attorneys,

Robert D. Wieck/DMR
Denean M. Russo

Robert D. Wieck, Esq. #1739
Attorney Denean M. Russo #5043
MacAdams & Wieck Incorporated
101 Dyer Street, Suite 400
Providence, Rhode Island 02903
(401) 454-8700
Date: June 28, 2005

LOUIS A. GENCARELLI, SR.

By and through his Attorneys,

Joseph P. Ferrucci, Esq. #4231
Christopher Mulhearn, Esq. #5188
Ferrucci Russo, PC
55 Pine Street
Providence, Rhode Island 02903
(401) 455-1000
Date: June 27, 2005

ENTER:

Ernest C. Torres

Chief Justice Ernest C. Torres
Date: 7/5/05, 2005

Per Order:

Deputy Clerk

CERTIFICATION

I hereby certify that a true copy of the within Order was sent first class mail, postage prepaid, on this 28th day of June, 2005, to the following:

Leonard J. DePasquale, Esq.
Assistant United States Trustee
10 Dorrance Street
Suite 910
Providence, RI 02903

Michelle B. Daugherty

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